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DOC #: \_\_\_\_\_  
DATE FILED: 11/15/18

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

against-

JAMES GRANT,

Defendant

AFFIDAVIT

16 - CR - 468 (GHW)

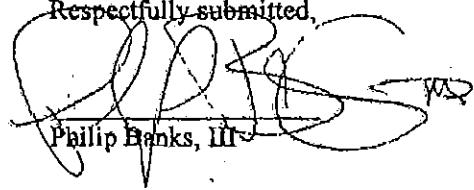
STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:  
                          )

PHILIP BANKS, being duly sworn deposes and states:

1. I have been subpoenaed in the above-captioned matter as a possible witness for the Defendant James Grant.
2. My attorney, Benjamin Brafman has advised me that I should refuse to testify in this matter and invoke my Fifth Amendment privilege against self-incrimination as to any and all questions.
3. If required to appear in this matter I intend to abide by the advice of my attorney and respectfully decline to answer any questions under the protections afforded me by the Fifth Amendment to the United States constitution that prohibits me from being forced to incriminate myself.

WHEREFORE, I am respectfully requesting that I be excused from appearing as a witness in this matter.

Respectfully submitted,

  
Philip Banks, III

Sworn to before me this  
12<sup>th</sup> day of November, 2018.

  
Winsome Hutchinson  
Notary Public

WINSOME HUTCHINSON  
Notary Public, State of New York  
No. 010H1607B133  
Qualified in Queens County  
Commission Expires June 17, 2022